



Rep. Kathleen Willis

Filed: 5/25/2018

10000SB0337ham001

LRB100 05120 RLC 40934 a

1 AMENDMENT TO SENATE BILL 337

2 AMENDMENT NO. _____. Amend Senate Bill 337 on page 2, line
3 5, by deleting "or similar location"; and

4 on page 2, line 8, by inserting "or similar special event",
5 after "show"; and

6 on page 2, line 15, after "valid.", by inserting "The
7 Department may by rule create a process for checking the
8 validity of the license, in lieu of requiring an affidavit."
9 and

10 on page 2, line 20, by inserting after "affidavit." the
11 following:

12 "If the Department does not issue the certificate within 30
13 days, the licensee shall operate as if a certificate has been
14 granted unless and until a denial is issued by the
15 Department."; and

1 on page 2, line 22, by replacing "90 days" with "180 days"; and

2 on page 3, line 7, after "business name", by inserting "on the
3 license"; and

4 on page 3, line 8 after "business name", by inserting "on the
5 license"; and

6 on page 4, line 10, by replacing "60" with "90"; and

7 on page 4, line 18, after "different", by inserting "business";
8 and

9 on page 4, line 19, after "another", by inserting "business";
10 and

11 on page 4, line 20, after "different", by inserting "business";
12 and

13 on page 5, lines 16 and 17, by deleting "and director,"; and

14 on page 5, line 18, after "corporate names", by inserting "by
15 and which the certified licensee sells, transfers, or
16 facilitates transfers of firearms"; and

1 on page 6, line 8, after "exceptions", by inserting "enumerated
2 in the Firearm Owners Identification Card Act"; and

3 on page 6, by inserting immediately below line 15 "This sign
4 shall be created by the Department and made available for
5 printing or downloading from the Department's website."; and

6 on page 6, line 19, after "established", by inserting "as
7 measured from the nearest corner of the building holding the
8 retail location to the corner of the school, pre-school, or day
9 care facility building nearest the retail location at the time
10 the retail location seeks licensure"; and

11 on page 8, line 23, after "licensees", by inserting "related to
12 legal requirements and responsible business practices
13 regarding the sale or transfer of firearms"; and

14 on page 9, line 3, after "operation", by inserting "involving
15 the selling, leasing, or otherwise transferring of firearms";
16 and

17 on page 9, line 5, by replacing "Licensees" with "During an
18 inspection, licensees"; and

19 on page 9, line 19, after "licensee." by inserting the
20 following:

1 "If an owner, employee, or other agent of the certified
2 licensee is not otherwise a resident of this State, the
3 certified licensee shall submit an affidavit stating that the
4 owner, employee, or other agent has undergone a background
5 check and is not prohibited from owning or possessing
6 firearms."; and

7 on page 10, by replacing lines 4 through 14 with the following:

8 "(c) If a certified licensee has a license, certificate, or
9 permit to sell, lease, transfer, purchase, or possess firearms
10 issued by the federal government or the government of any state
11 revoked or suspended for good cause within the preceding 4
12 years, the Department may consider revoking or suspending the
13 certified licenses in this State. In making a determination of
14 whether or not to revoke or suspend a certified license in this
15 State, the Department shall consider the number of retail
16 locations the certified licensee or any related person or
17 entity operates in this State or in other states under the same
18 or different business names, and the severity of the infraction
19 in the state in which a license was revoked or suspended."; and

20 on page 10, line 22, after "deems", by inserting "directly";
21 and

22 on page 10, line 25, by inserting after "State." the following:

23 "The licensee may file an emergency motion with the Director or

1 a hearing officer authorized by the Department to quash a
2 subpoena issued by the Department. If the Director or hearing
3 officer determines that the subpoena was issued without good
4 cause, the Director or hearing officer may quash the
5 subpoena."; and

6 on page 11, line 6, after "firearms", by inserting "in
7 inventory"; and

8 on page 11, line 7, by replacing "transferred, or carried" with
9 "or transferred"; and

10 on page 11, line 10, by inserting after "location." the
11 following:

12 "If a video security system is deemed inadequate by the
13 Department, the licensee shall have 30 days to correct the
14 inadequacy. The Department shall submit to the licensee a
15 written statement describing the specific inadequacies."; and

16 on page 11, line 15, by inserting after "RECORDED." the
17 following:

18 "This sign shall be created by the Department and available for
19 printing or downloading from the Department's website."; and

20 on page 12, line 8, by replacing "inadequacy" with "specific
21 inadequacies"; and

1 on page 12, line 11, after "plan,", by inserting "the
2 Department shall note the specific inadequacies in writing
3 and"; and

4 on page 12, line 20, by replacing "may" with "shall"; and

5 on page 12, line 21, by inserting after "plan." the following:
6 "The rules shall take into account the various types and sizes
7 of the entities involved, and shall comply with all relevant
8 State and federal laws."; and

9 by replacing line 25 on page 12 and line 1 on page 13 with the
10 following:

11 "Department shall develop and implement by rule statewide
12 training standards for assisting certified licensees in
13 recognizing"; and

14 on page 13, line 3, after "firearm", by inserting ", including,
15 but not limited to, indicators of a straw purchase"; and

16 on page 13, line 5, after "licensee", by inserting "operating a
17 retail location"; and

18 by replacing line 23 on page 13 through line 3 on page 14 with
19 the following:

1 "Department may not charge a certified licensee in this State,
2 operating under the same or different business name, fees
3 exceeding \$40,000 for the certification of multiple licenses.
4 All fees and fines collected under this Act"; and

5 on page 14, line 15, by replacing "inventory" with "acquisition
6 and disposition"; and

7 on page 16, line 16, by replacing "60" with "90"; and

8 on page 20, line 11, by deleting "indefinite" wherever it
9 appears; and

10 on page 21, by inserting immediately below line 21 the
11 following:

12 "Section 5-120. Federal agencies and investigations.
13 Nothing in this Act shall be construed to interfere with any
14 federal agency or any federal agency investigation. All
15 Department rules adopted under this Act shall comply with
16 federal law. The Department may as necessary coordinate efforts
17 with relevant State and federal law enforcement agencies to
18 enforce this Act."; and

19 on page 28, line 14, by inserting after "offense." the
20 following:

1 "A transferee shall not be criminally liable under this Section
2 provided that he or she provides the Department of State Police
3 with the transfer records in accordance with procedures
4 established by the Department. The Department shall establish,
5 by rule, a standard form on its website."